

Docket No. 000687.00148

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: David R. Williams et al.

GROUP ART UNIT: 3737

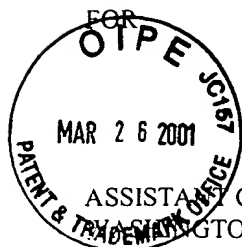
SERIAL NO: 09/628,690

EXAMINER: G. Manuel

FILED: July 28, 2000

FOR
METHOD AND APPARATUS FOR IMPROVING VISION AND
THE RESOLUTION OF RETINAL IMAGES

TERMINAL DISCLAIMER



ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

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SIR:

Now comes the undersigned, Attorney of Record in the present application, who avers as follows:

University of Rochester is the owner of the entire right, title and interest in and to the invention claimed and disclosed in the above-captioned patent application by virtue of assignment, said Assignment having been recorded in the U.S. Patent and Trademark Office at reel no. 8360, frame 0762.

University of Rochester hereby disclaims the terminal part of any patent granted on the above-captioned application, which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of Patent Nos. 6,095,651, 5,949,521 and 5,777,719, and hereby agrees that any patent so granted on said above-captioned application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent Nos. 6,095,651, 5,949,521 and 5,777,719, this agreement to run with any patent granted on the above-captioned application and to be binding upon the grantee, its successors or assigns.

University of Rochester does not disclaim any terminal part of any patent granted on the above-captioned application that would extend to the full statutory term as presently shortened by any terminal disclaimer of Patent Nos. 6,095,651, 5,949,521 and 5,777,719 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Respectfully Submitted,

BLANK ROMBERG, COMISKY & MCCAULEY LLP

David J. Edmondson

Registration No. 35,126

3.26.01

Date Signed

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